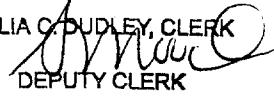


JUN 13 2013

JULIA C. DUDLEY, CLERK  
BY:   
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOSEPH L. RAINY, ) CASE NO. 7:13CV00242  
Petitioner, )  
v. )  
C. ZYCH, ) FINAL ORDER  
Respondent. )  
 ) By: Glen E. Conrad  
 ) Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241, is **DISMISSED** as untimely filed, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 13<sup>th</sup> day of June, 2013.

  
\_\_\_\_\_  
Chief United States District Judge